

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2019 SEP -3 PM 1:00

DEPUTY CLERK ER

UNITED STATES OF AMERICA

v.

NO.

ROBERT DARREN MOORE

3 - 19CR - 432 - N

FACTUAL RESUME

Pursuant to Rule 20 of the Federal Rules of Criminal Procedure, and in support of a plea of guilty to the offense in Count One in the indictment from the Eastern District of Texas (4:18-CR-236), Robert Darren Moore, the defendant; John Oliphant, the defendant's attorney; and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count One of the indictment, charging a violation of 18 U.S.C. § 2113(a), that is, Bank Robbery, the government must prove each of the following elements beyond a reasonable doubt:¹

- First.* That the defendant intentionally took United States currency from the person and presence of another, namely, an employee of Texas Star Bank, while the United States currency was in the care or custody of Texas Star Bank;
- Second.* That such taking was by force and violence and intimidation; and
- Third.* That the deposits of Texas Star Bank were then insured by the Federal Deposit Insurance Corporation.

¹ Fifth Circuit Pattern Jury Instruction (Crim.) 2.80A (2015).

STIPULATED FACTS

1. Robert Darren Moore, the defendant, admits and agrees that on or about October 12, 2018, in the Sherman Division of the Eastern District of Texas, he did intentionally and knowingly by intimidation, take from the person or presence of another money, namely \$32,756.00 in United States currency, belonging to and in the care, custody control, management, and possession of Texas Star Bank, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of 18 U.S.C. § 2113(a).

2. On October 12, 2018, on or around 5:00 p.m., the defendant entered the Texas Star Bank – a federally insured bank – located at 500 N. Sam Rayburn Freeway, Sherman, Texas, which is in the Eastern District of Texas, wearing a black derby hat, blue jeans and light-up shoes. The defendant started walking around in the lobby area of the bank, approached the teller counter, and handed a threatening and intimidating note to a Texas Star Bank employee that read:

No silent alarms. This is a robbery. No joke. I want all the 5's, 10's, 20's, 50's, 100's. No banded bills. No dipacks on any of the bills. No tracking devices on the bills, take off the bands and fan the money. Stay calm and we will all go home to our family. You have 45 seconds to have both registers, top and bottom in my bag. Don't play around or it will get serious.

3. The defendant then instructed two Texas Star Bank employees to empty their cash registers and place all the money in his bag. After obtaining \$32,756.00 in United States currency from the bank employees who were scared and intimidated, the defendant fled the scene on foot, and jumped into the passenger seat of a silver Cadillac, driven by another individual.


4. The defendant then went to Oklahoma where he stayed in motels in Durant, Oklahoma and Kingston, Oklahoma. The defendant bragged to witnesses that he robbed the Texas Star bank using a note only. Law enforcement officers located the defendant inside of the Chickasaw casino in Kingston, Oklahoma, where he was taken into custody.

5. Investigators travelled to Oklahoma to interview the defendant while he was in custody. After being read his rights under Miranda, the defendant confessed to law enforcement his involvement in the Texas Star Bank robbery, and gave the name of his co-conspirator, who drove the getaway car. He also admitted to his involvement in two other bank robberies.

6. The defendant agrees that he committed all the essential elements of the offense charged in Count One of the indictment. This factual resume is not intended to be a complete accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count One of the indictment.


AGREED TO AND STIPULATED on this 28th day of August, 2019.

ERIN NEALY COX
UNITED STATES ATTORNEY


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ROBERT DARREN MOORE
Defendant

8/27/19
Date


JOHN OLIPHANT
Attorney for the Defendant

8/28/19
Date